

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

YVONNE CACERES,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security

Defendant.

CASE NO. 3:14-CV-05908-DWC

ORDER ON PLAINTIFF'S MOTION  
FOR EQUAL ACCESS TO JUSTICE  
ACT FEES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. *See also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 19. This matter is before the Court on Plaintiff's Motion for Attorney Fees Pursuant to 28 U.S.C. § 2412(D). Dkt. 26. Defendant has no objection to Plaintiff's motion. Dkt. 30.

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Defendant's response to Plaintiff's Motion for Attorney's Fees, (Dkt. 30), the Declaration of Yvonne Caceres (Dkt. 28), the Declaration of D. James Tree, (Dkt. 27), attorney time and expense itemizations

1 (Dkt. 26, Exh. 1), Plaintiff's memorandum of law (Dkt. 29), and the relevant record, the Court  
2 orders EAJA attorney's fees of \$7,075.71 be awarded to Plaintiff pursuant to EAJA and  
3 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524 (2010) ("EAJA Award").

4       The Acting Commissioner agrees to contact the Department of Treasury after this Order  
5 is entered to determine if the EAJA Award is subject to any offset. If the U.S. Department of the  
6 Treasury verifies to the Office of General Counsel that Plaintiff does not owe a debt, the  
7 government will honor Plaintiff's assignment of EAJA Award and pay the EAJA Award directly  
8 to Tree Law Office. If there is an offset, any remainder shall be made payable to Plaintiff, based  
9 on the Department of the Treasury's Offset Program and standard practices, and the check shall  
10 be mailed to Plaintiff's counsel, D. James Tree, at Tree Law Office, 3711 Englewood Ave.,  
11 Yakima, WA 98902.

12       Dated this 27th day of October, 2015.

13  
14 

15       David W. Christel  
16       United States Magistrate Judge  
17  
18  
19  
20  
21  
22  
23  
24